

**DOCKET FOR REGULAR COUNCIL MEETING OF  
TUESDAY, MARCH 27, 2001 AT 10:00 A.M.  
TABLE OF CONTENTS**

**SPECIAL ORDERS OF BUSINESS**

- ITEM-30: Approval of Council Minutes. . . . . [2](#)

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS**

- ITEM-200: Two actions related to the Third Amendment to the Consultant Agreement for Sorrento Valley Road Improvement Project and Certifying Environmental Impact Report LDR-99-0220. . . . . [2](#)
- ITEM-201: Fire Hydrant Water Meters with Backflow Devices as One Unit - Award of Contract. . . . . [3](#)
- ITEM-202: Four actions related to the Final Map of Black Mountain Ranch Unit No. 10. . . . . [4](#)
- ITEM-203: State Route 56/Camino Ruiz Interchange - Cooperative Agreement with CalTrans. . . . . [6](#)
- ITEM-204: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico. . . . . [7](#)

**ADOPTION AGENDA, HEARINGS  
NOTICED HEARINGS**

- ITEM-330: Determination of Citywide Vacancy Rate for Residential Rental Units. . . [7](#)
- ITEM-331: Fay Avenue Realignment. . . . . [9](#)
- ITEM-332: Authorize and Transfer \$4.089 Million in North Bay Bond Proceeds to the City for the James Edgar and Jean Hervey Library. . . . . [12](#)

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action

- ITEM-350: Settlement of Claims for the Death of Julia Gonzalez Noyola and Injury of

Ainee Alejandra Noyola. ....	<a href="#"><u>13</u></a>
ITEM-351: Notice of Completion and Acceptance of Subdivision Improvement Agreement. .....	<a href="#"><u>13</u></a>

**DOCKET FOR REGULAR COUNCIL MEETING OF  
TUESDAY, MARCH 27, 2001 AT 10:00 A.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS - 12TH FLOOR  
202 "C" STREET  
SAN DIEGO, CA 92101**  
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ITEM-1:                      ROLL CALL.

ITEM-10:                    INVOCATION.

ITEM-20:                   PLEDGE OF ALLEGIANCE.

**SPECIAL ORDERS OF BUSINESS**

ITEM-30:      Approval of Council Minutes.

**TODAY'S ACTION IS:**

Approval of Council Minutes for the meetings of:

03/05/2001  
03/06/2001  
03/12/2001 Adjourned  
03/13/2001 Adjourned

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**  
**RESOLUTIONS:**

ITEM-200:    Two actions related to the Third Amendment to the Consultant Agreement for Sorrento Valley Road Improvement Project and Certifying Environmental Impact Report LDR-99-0220.

(See City Manager Report CMR-01-038. Torrey Pines Community Area.  
District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-783)

Authorizing the City Manager to execute a third amendment to agreement C-08612 with BRW in the amount of \$650,000 from CIP-52-330.0, Sorrento Valley Road, TransNet fund 30300, for environmental permit acquisition and final design;

Authorizing the expenditure of an amount not to exceed \$758,000 from Fund No. 30300, CIP-52-330.0, Sorrento Valley Road, provided that the City Auditor first furnishes a certificate demonstrating that the funds are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-2001-795)

Certifying that the information contained in Environmental Impact Report LDR-99-0220, dated November 6, 2000, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration reflects the independent judgement of the City as Lead Agency and that the information contained, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with approval of Third Amendment to the Consultant Agreement for Sorrento Valley Road Improvement Project;

Adopting findings made with respect to the project pursuant to California Public Resources Code Section 21081 and California Code of Regulations Section 15091;

Adopting the Statement of Overriding Considerations with respect to the project pursuant to California Code of Regulations Section 15093;

Adopting the Mitigation Monitoring and Reporting Program or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment pursuant to California Public Resources Code Section 21081.6.

Aud. Cert. 2100552.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

ITEM-201: Fire Hydrant Water Meters with Backflow Devices as One Unit - Award of Contract.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1254) )

Awarding a contract to Performance Meter, Inc. (Banning, CA) for furnishing high flow fire hydrant water meters with backflow devices as one unit and stands, as may be required for a period of one (1) year beginning March 15, 2001 through March 14, 2002, for a total estimated cost of \$1,158,312.50, including tax and terms;

Authorizing the expenditure of an amount not to exceed \$1,158,312.50 from Fund No. 41500, Department No. 760, Organization No. 2810, Object Account No. 3263, and Job Order No. 006477. (BID-3840-01-S)

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed contract is for the purchase of fire hydrant meters with backflow devices and stands to be used by the Water Department in implementation of the Fire Hydrant Meter Policy DI 55.27, which was approved by City Council on July 18, 2000. Twenty-three (23) potential bidders were contacted, and bids were received from four bidders. The low bid of ABB Water Meters, Inc. (Ocala, FL) was rejected as non-responsive because their meters did not meet minimum specifications. It is recommended that the contract be awarded to the low bidder meeting specifications, Performance Meter, Inc. (Banning, CA).

**FISCAL IMPACT:**

The estimated expenditure for FY01 is based upon the estimated usage for the balance of FY01. For FY02, the estimated expenditure is based upon the estimated usage for the period of July 1, 2001 through the end of the contract period.

FY01:	\$ 386,104.17 (including sales tax) estimated expenditure
FY02:	\$ <u>772,208.33</u> (including sales tax) estimated expenditure
	\$1,158,312.50

Loveland/Baldwin/AS

Aud. Cert. 2100983.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**

## RESOLUTIONS:

ITEM-202: Four actions related to the Final Map of Black Mountain Ranch Unit No. 10.

(Black Mountain Ranch Community Area. District-1.)

### **CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1225)

Authorizing the execution of a Subdivision Improvement Agreement with Santaluz, LLC, for the installation and completion of certain public improvements.

Subitem-B: (R-2001-1224)

Approving the final map.

Subitem-C: (R-2001-1226)

Approving the acceptance of a grant deed of Santaluz, LLC, executed in favor of the City of San Diego, granting to the City Lot "C" of Black Mountain Ranch Unit 10 to be used for open space purposes.

Subitem-D: (R-2001-1227)

Authorizing the execution of a Landscape Maintenance Agreement with Santaluz, LLC, to assure maintenance of landscaping in the subdivision.

### **CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 57.509 acre site into 9 lots for residential development plus Lots "A", "B", "C" and "D". It is located easterly of El Camino Real, northerly of Del Mar Heights Road in Black Mountain Ranch Subarea I Plan area. On October 31, 1995 the Council of the City of San Diego approved City Council Resolution No. R-286502 for Black Mountain Ranch TM-95-0173. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements and landscaping required for this subdivision are shown in detail on Drawing Numbers 30430-1-D - 30430-10-D and 30922-1-D through 30922-36-D respectively, filed in the Office of the City Clerk on February 2, 2001 under Micro Numbers 140.82 and 140.83. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$2,131,328 and the cost of the landscaping and irrigation is \$264,524. Performance Bonds in those amounts have been provided as surety. A cash bond in the amount of \$15,000, as determined by the surveyor's

estimate, has been posted as surety for the setting of survey monuments. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". As a condition of TM-95-0173, subdivider is entering into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. Lot "C" is being deeded to the City at no cost. The lot totals 0.829 acre in size. No park fee credit is being granted by this action. The lot is to be used for open space purposes. This subdivision is located in the Black Mountain Ranch Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefits Assessment (FBA), including parks, at the time of building permit issuance. This project is estimated to generate 840 daily trips (ADT) external to the Future Urbanizing Area. 400 of these trips are estimated to occur on Interstate 5, which has an estimated near-term volume of 253,777 ADT. Caltrans is planning to widen Interstate 5 to provide 10 additional lanes south of State Route 56. The proposed Black Mountain Ranch is required to contribute \$8 million for the widening of State Route 56 from 4 to 6 lanes, and \$6.1 million for the widening of Interstate 15 by an additional 4 lanes.

**FISCAL IMPACT:**

None.

Loveland/Haase/GB

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:**

ITEM-203: State Route 56/Camino Ruiz Interchange - Cooperative Agreement with CalTrans.  
(Torrey Highlands Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1264)

Authorizing the City Manager to execute a cooperative agreement with the California Department of Transportation, for the completion of the Camino Ruiz/State Route 56 interchange, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the project and agreement.

### **CITY MANAGER SUPPORTING INFORMATION:**

In December 2000, the City Council directed the City Manager to take the actions necessary with applicable property owners to construct the east half of the Camino Ruiz/State Route 56 Interchange concurrent with the current State Route 56 - Phase 1 project. This would provide that "through" traffic would not be compelled to utilize City streets and instead use the Phase 1 portion of State Route 56 upon its completion.

This action will direct the City Manager to execute a Cooperative Agreement with CalTrans in order for them to administer the construction portion of this interchange.

### **FISCAL IMPACT:**

None to the City. All costs are being funded by the property owners in the Torrey Highlands Community (per an earlier executed agreement).

Loveland/Belock/PB

### **ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS RESOLUTIONS:**

ITEM-204: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

### **TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-2001-1147)

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

### **ADOPTION AGENDA, HEARINGS NOTICED HEARINGS**

ITEM-330: Determination of Citywide Vacancy Rate for Residential Rental Units.

Matter of the determination of the Citywide Apartment Vacancy Rate for residential rental units. This determination is required by Municipal Code Section 141.0302 "Conditional Use Permits for Companion Units." If the vacancy rate is



determined to be less than five percent, the City will continue to accept Conditional Use Permit applications for companion units for one year. Council must take action prior to April 1, 2001.

(Community Plan area-All. District-Citywide.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1218)

Adoption of a Resolution determining that the Citywide average vacancy rate for residential rental units in The City of San Diego is below five percent for the calendar year 2000;

that pursuant to the above determination and the provisions of the San Diego Municipal Code Section 141.0302, the regulations contained in Section 141.0302 will become effective from April 1, 2001 to April 1, 2002.

**OTHER RECOMMENDATIONS:**

Planning Commission on March 1, 2001, voted 4 - 0 to recommend approval; no opposition.

Ayes: Butler, Steele, Anderson, Brown  
Not present: Garcia, Stryker, Skorepa

This is a matter of City-wide effect. The Community Planners Committee is scheduled to hear this matter as an information item on February 27, 2001.

**SUPPORTING INFORMATION:**

Every year the City Council is required to determine whether the average annual vacancy rate for residential rental units during the previous calendar year was greater or less than five percent. This determination is required by Municipal Code 141.0302 "Conditional Use Permit for Companion Units."

If the vacancy rate is determined to be above five percent, the City will not accept applications for companion units for one year. If the vacancy rate is determined to be below five percent, the City will accept applications for companion units for one year.

The average annual vacancy rate for residential rental units has been determined to be below five percent for calendar year 2000, based on analysis of published surveys.

The Planning Commission is scheduled to hear this item on March 1, 2001. The results of this discussion will be presented at the City Council hearing.

**FISCAL IMPACT:**

None.

Ewell/Goldberg/JP

**NOTE:** This activity is exempt from CEQA pursuant to Section 15061 (b)(3) of the State CEQA Guidelines.

**ADOPTION AGENDA, HEARINGS**  
**NOTICED HEARINGS**

ITEM-331: Fay Avenue Realignment.

Matter of approving, conditionally approving, modifying or denying an application for the Execution of a Participation Agreement with the La Jolla High School Expansion Foundation, a non profit entity, for the realignment of Fay Avenue; approving the plans and specifications for the realignment of Fay Avenue; Certifying Mitigated Negative Declaration No. 40-0692; adopting the Mitigation Monitoring and Reporting Program No. 40-0692. The temporary closure of Fay Avenue, from June 2001 to September 2001, for the purposes of constructing the Fay Avenue Realignment Project; grading, landscaping, retaining walls and the installation of approximately 2,400 linear feet of new water mains, 423 linear feet of new sewer pipeline, 926 linear feet of storm drain pipe and bike lanes. The site is located along Fay Avenue between West Muirlands Drive and Nautilus Street in the La Jolla Community Plan area.

(40-0692. La Jolla Community Plan area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions in subitems A, B, and C:

Subitem-A: (R-2001-1267)

Adoption of a Resolution authorizing and empowering the City Manager to negotiate and execute a Participation Agreement with the La Jolla High School Facilities Expansion Foundation, a non profit entity, and the San Diego Unified School District, for the realignment of Fay Avenue, under the terms and conditions set forth in the Agreement;

Authorizing and empowering the City Manager to negotiate and execute an

agreement with the San Diego Unified School District, for an exchange of property for the Fay Avenue Realignment [Agreement], and execute all documents necessary for that exchange, under the terms and conditions set forth in the Participation Agreement, provided that an environmental review is completed prior to executing this Agreement and the City Auditor certifies the availability of any funds required prior to the execution of this Agreement;

Amending the Fiscal Year Capital Improvement Budget, by adding CIP-52-690.0, Fay Avenue Realignment;

Authorizing the City Auditor and Comptroller to deappropriate \$150,000, from Fund No. 30300, CIP-52-583.0, La Jolla Shores/Torrey Pines Road/Ardath Road/Hidden Valley Road, and appropriate \$150,000 to CIP-52-690.0, Fay Avenue Realignment;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$150,000, from Fund No. 30300, CIP-52-690.0, Fay Avenue Realignment, for the purposes of the storm drain and roadway construction City obligations of the Participation Agreement;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$138,750, from Fund No. 41506, CIP-44-001.0, Annual Allocation for Sewer Mains, for the purpose of the sewer construction, engineering and related City obligations of the Participation Agreement;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$691,200, from Fund No. 41500, CIP-70-953.0, Torrey Pines Road/La Jolla Boulevard Main Replacement, for the purpose of the water construction, engineering and related City obligations of the Participation Agreement;

Approving the temporary closure of Fay Avenue, from June 2001 to September 2001, for the purposes of constructing the Fay Avenue Realignment Project.

Subitem-B: (R-2001-1266)

Adoption of a Resolution approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the Fay Avenue Realignment project.

Subitem-C: (R-2001-1265)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration LDR-40-0692, dated March 12, 2001 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section

15000 et seq.), that said MND reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of Fay Avenue Realignment Project;

That the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, is hereby approved;

and that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment.

### **SUPPORTING INFORMATION:**

In 1997, members of the La Jolla community began investigating the possibility of constructing an aquatic center on the La Jolla High School Campus to provide a venue for aquatic education and competition for the students as well as public pool access for the community. For this purpose, the Aquatic Center Committee has created a non-profit organization, The La Jolla High School Facilities Expansion Foundation, to raise funds for the project. During this investigation, it was discovered that Fay Avenue would have to be re-aligned from West Muirlands to Nautilus Avenue to provide the necessary area for the facility. The Foundation then requested that the City perform a preliminary design study for this work. The concept for the project was presented to the La Jolla Community Planning Association and approved. In January 2000, the San Diego Unified School District (SDUSD) voted to support the negotiation of a Joint Use agreement with the City for this facility. This study was completed and presented to the Rules Committee in February 2000. At this meeting, the Rules Committee directed the City Manager to negotiate a joint use agreement with the District. During these negotiations, the Foundation offered to manage the proposed facility without maintenance funding from either the District or the City. For this reason, the Joint Use agreement was no longer required. Therefore, City staff began negotiations with the Foundation for this participation agreement and the design of the re-alignment of Fay Avenue.

During the design, it was discovered that an undersized City storm drain would have to be upgraded during its relocation. In addition, the Water and Metropolitan Wastewater Departments had planned work in the same area to replace aging pipelines and requested that this work be included in the project to eliminate future disturbance of the new road. For these reasons, the Foundation requested that a Participation Agreement be developed to reimburse them for their construction of these new facilities. As part of this agreement, City staff has completed the design for the Fay Avenue Realignment. This project will provide upgraded roadway and storm drain facilities including improved drainage, dedicated right turn lane, traffic signal, street lights, pedestrian ramps, bike lanes, a raised median, retaining wall, additional on-street parking, street trees, landscaping, and a dedicated student drop-off area. In order to minimize the impact to school traffic, the phased traffic control plan allows for only a partial closure of Fay Avenue until

the summer break and requires the restoration of the complete roadway before the school begins again in September. To allow for this accelerated schedule, it is necessary to obtain a waiver from presentation to the Planning Commission.

**FISCAL IMPACT:**

The total City obligations for this agreement are \$979,950. Funding for the storm drain obligations in the amount of \$150,000 are available in the Ardath Road/Torrey Pines/La Jolla Shores project (CIP-52-583.0) and are anticipated to be replaced as part of the FY 2002 DIF funding proposal. Funding for the Sewer (\$138,750) and Water (\$691,200) obligations are available from the Annual Allocation for Sewer Mains (CIP-44-001.0) and the Torrey Pines Road/La Jolla Boulevard Main Replacement (CIP-70-953.0), respectively.

Loveland/Belock/PB

Aud. Cert. 2100991.

**LEGAL DESCRIPTION:**

The work would be located within Fay Avenue, Nautilus Street, Westbourne Street, and Draper Avenue, in the La Jolla Community Plan area.

**ADOPTION AGENDA, HEARINGS**  
**NOTICED HEARINGS**

ITEM-332: Authorize and Transfer \$4.089 Million in North Bay Bond Proceeds to the City for the James Edgar and Jean Hervey Library.

(Continued from the meeting of 3/6/2001, Item 333, at the request of the City Manager for re-noticing due to a different dollar amount.)

(See City Manager Report CMR-01-043. Peninsula/Point Loma Community Areas. Districts-2 and 6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1166)

Approving a cooperation agreement with the Redevelopment Agency of the City of San Diego for the construction of the Point Loma Branch Library in the North Bay Redevelopment project area; making certain findings with respect thereto; stating for the record that the Environmental Impact Report prepared by the City of San Diego (SCH No. 97091022) dated May 4, 1998, and certified by City

Council, has been reviewed and considered prior to approval of the Library, and directing the City Clerk to file a Notice of Determination; and authorizing acceptance and expenditure of \$4.089 million of Redevelopment Agency funds from the Capital Improvements Program Budget for the Point Loma Library expansion (CIP-350670).

**NOTE:** Hearing Open. No testimony taken on 3/6/2001.

**NOTE:** See the Redevelopment Agency Agenda of March 27, 2001 for a companion item.

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action.

ITEM-350: Settlement of Claims for the Death of Julia Gonzalez Noyola and Injury of Ainee Alejandra Noyola.

(R-2001-1171)

Adopted as Resolution R-294575.

A Resolution approved by the City Council in Closed Session on Tuesday, February 20, 2001, by the following vote: Peters-yea; Wear-yea; Atkins-yea; Stevens-yea; Maienschein-yea; District 6-vacant; Madaffer-yea; District 8-vacant; and Mayor-yea.

Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the death of Julia Gonzalez Noyola and the injuries sustained by Ainee Alejandra Noyola in an automobile accident that occurred on San Ysidro Boulevard in the City of San Diego on May 7, 1999 (Superior Court Case No. GIC 747458, Noyola-Gonzalez, et al v. City of San Diego);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$50,000 made payable to the E. Bruce Menzies Trust Account in full settlement of the lawsuit and all claims.

Aud. Cert. 2100893.

**NOTE:** This item is placed on a Council Docket, so that the official and public record will reflect the adoption of this resolution. It does not require any further council action.

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action.

ITEM-351: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Westview Unit No. 7

Westview Unit No. 8

COMMUNITY AREA

Mira Mesa Community

Mira Mesa Community

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT



THE CITY OF SAN DIEGO  
**MANAGER'S REPORT**

DATE ISSUED: February 28, 2001 REPORT NO. 01-043

ATTENTION: Honorable Mayor and Members of the City Council  
Docket of March 6, 2001

SUBJECT: Enter into a Cooperation Agreement with the Redevelopment Agency for  
the Proposed James Edgar and Jean Jessop Hervey Library

SUMMARY:

Issue - Should the City Council enter into a cooperation agreement with the Redevelopment Agency and make certain findings for the proposed James Edgar and Jean Jessop Hervey Library?

City Manager's Recommendation - That the City Council:

- 1) Approve the Cooperation Agreement with the Redevelopment Agency; and
- 2) Make certain findings that the development of the proposed library is of benefit to the North Bay Redevelopment Project Area or the immediate neighborhood in which the Project is located; that no other reasonable means of financing the improvements are available to the community; that the payment of funds for such improvements will assist in the elimination of blighting conditions inside the project area; and that the proposed improvements are consistent with Redevelopment Plan adopted for the Project Area on May 18, 1998 and the Five-Year Implementation Plan adopted May 4, 1998 and amended on March 6, 2001; and
- 3) State for the record that the Final Environmental Impact Report has been reviewed and considered prior to approving the project; directing the City Clerk to file a Notice of Determination.

Fiscal Impact - The total project cost is estimated at \$11.053 million. The



Redevelopment Agency's contribution is not to exceed \$4.089 million. The City has also agreed to accept a grant of \$5.0 million from the James Edgar and Jean Jessop Hervey family through the San Diego Foundation for the construction of the proposed library. The remaining funds are coming from a combination of City funds and Friends of the Point Loma Library fund raising.

Environmental Impact - The City of San Diego as Lead Agency under the California Environmental Quality Act (CEQA) has reviewed and considered an Environmental Impact Report (EIR), File No. SCH-97091022, dated March 1998, covering this activity. The EIR was adopted May 18, 1998, by Resolution No. 290053.

### BACKGROUND:

The existing Point Loma Branch Library is located at the corner of Udall Street and Poinsettia Drive within the North Bay Redevelopment Project area (see Attachment 1). The existing approximate 4,900 square foot library is outdated and too small to meet current community needs. The proposal to build a new branch library in the Point Loma community has been in the discussion and planning stages since the late 1980's.

The proposed James Edgar and Jean Jessop Hervey Library will be located at the corner of Poinsettia Drive and Voltaire Street, adjacent to the existing Point Loma Branch Library (see Attachment 1). The proposed library site is also within the North Bay Redevelopment Project and identified as a project within the North Bay Redevelopment Plan. The proposed library provides for a new 25,890 square foot library to meet the current and growing needs of the redevelopment project area and its immediate neighborhood.

A total of \$13.0 million in North Bay Redevelopment Tax Allocation Bonds, Series 2000 were issued last October for project area improvements. Monies from this bond issue are available and eligible for the proposed library. The development of the proposed library will benefit the North Bay Redevelopment Project and further implement the goals and objective of the Redevelopment Plan. The Redevelopment Agency's contribution of \$4.089 million will be combined with the \$5.0 million grant from the San Diego Foundation, Friends of the Point Loma Library fund raising proceeds and City funds.

### DISCUSSION:

The proposed library is identified as a proposed project within the approved North Bay Redevelopment Plan. With the immediate availability of North Bay Redevelopment tax-exempt bond proceeds and the grant from the San Diego Foundation, the implementation time line for the library development has been accelerated. With this accelerated development schedule and to be consistent with Redevelopment Law, the Five-Year Implementation Plan for the North Bay Redevelopment Project needs to be amended to reflect the proposed library project. Attachment

2 presents the proposed first amendment to the Five-Year Implementation Plan for the North Bay Redevelopment Project.

The proposed library will be of benefit to the North Bay Redevelopment Project and community. The expanded facility will provide additional services and facilities to residents and businesses of the Project area. Formal and informal educational resources will be available, expanded computer and Internet access will be available for educational, employment search and business opportunities. Conference and meeting room space will be available to the residents and the business community. The proposed library will serve as a key destination in the Voltaire Commercial Corridor and bring additional library users and potential business customers to the commercial district. The proposed library will assist in the elimination of blighting conditions including upgrading park space, landscaping, library, parking and other public improvements. Also, the existing library was built in 1959 and does not meet contemporary library program or design standards.

In order to effectuate the transaction between the Redevelopment Agency and the City, a cooperation agreement has been prepared. The cooperation agreement (Attachment 3) sets forth the terms and conditions by which the Redevelopment Agency will contribute a not to exceed amount of \$4.089 million in the public facility. The cooperation agreement sets forth the installment payments to be made to the City for the proposed library. The City is the lead agency for this project and City's Engineering and Capital Projects is the lead department. Construction bids for the project are expected to be received this Fall. Construction is expected to take approximately one year.

State law requires that certain findings be made by the City Council and Redevelopment Agency prior to the expenditure of Redevelopment Agency funds for public facilities/improvements. Attachment 4 recites the proposed findings with respect to the benefits of the proposed improvements to the North Bay Redevelopment Project Area, the unavailability of other reasonable means to finance the proposed improvements, how the proposed improvements will assist in the elimination of blighting conditions inside the Project Area and that the proposed facility is consistent with the Redevelopment Plan and the First Amendment to the Five-Year Implementation Plan.

The North Bay Redevelopment Project Area Committee (PAC) has reviewed the project. The PAC Project Review Subcommittee met on January 24, 2001 and the full PAC met on February 7, 2001 to discuss the project. On February 7, 2001, the PAC approved a resolution (8-yes, 2-no, 1-abstention) recommending that the Redevelopment Agency contribute \$2.7 million in North Bay Bond proceeds to the proposed library project.

Also, the public has been noticed regarding the March 6, 2001 Redevelopment Agency and City Council meetings. A notice was published in two local papers and posted in the North Bay Redevelopment Project Area regarding the Redevelopment Agency's Public Hearing to amend

the North Bay Five-Year Implementation Plan. A notice was also published informing the public of the proposal by the Redevelopment Agency to use redevelopment bond proceeds for the proposed library.

Respectfully submitted,

---

Hank Cunningham  
Community and Economic Development  
Director

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Approved: Bruce A. Herring  
Deputy City Manager

HOOKS / JRD

Note: The attachments are not available in electronic format. A copy of the attachments is available for review in the Office of the City Clerk.

Attachments: 1. Location Map  
2. Proposed First Amendment to Five-Year Implementation Plan for the North Bay Redevelopment Project  
3. Cooperation Agreement for the Point Loma Branch Library  
4. Findings